

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

REX ALLEN BRANOUGH, #1670425	§	
VS.	§	CIVIL ACTION NO. 4:11cv823
KENNETH MOORE, ET AL.	§	

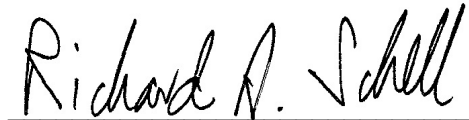
ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Don D. Bush. The Report of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration and recommends that Defendants Sheriff Kenneth Moore's and Fannin County's Motion to Dismiss (docket entry #17) be granted and that they be dismissed from the complaint with prejudice. Plaintiff has filed objections, but the objections do not address the basis of the Magistrate Judge's recommendation. *See* docket entry #38. Instead, he simply states that he should not be held to the standard of an attorney and that events in his personal life have affected his ability to exercise diligence. However, these points do not excuse his responsibility to address the issues raised.

Having made a *de novo* review of the objections raised by Plaintiff to the Report, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and Plaintiff's objections are without merit. Accordingly, the Court adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is therefore

**ORDERED** that Defendants Sheriff Kenneth Moore's and Fannin County's Motion to Dismiss (docket entry #17) is hereby **GRANTED** and that those Defendants are hereby **DISMISSED** from the complaint **WITH PREJUDICE**.

**SIGNED this the 27th day of March, 2013.**

A handwritten signature in black ink, reading "Richard A. Schell". The signature is written in a cursive, flowing style. The first name "Richard" is written with a large, prominent "R". The middle initial "A." is smaller and follows the first name. The last name "Schell" is written with a large, prominent "S". The signature is written above a horizontal line.

RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE